

1 HOUSE JOINT RESOLUTION 23

2 46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

3 INTRODUCED BY

4 Ray Begaye

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10 A JOINT RESOLUTION

11 PROPOSING AN AMENDMENT TO ARTICLE 12, SECTION 13 OF THE
12 CONSTITUTION OF NEW MEXICO TO PROVIDE FOR A TRIBAL
13 REPRESENTATIVE ON EACH BOARD OF REGENTS OF NEW MEXICO STATE
14 UNIVERSITY AND THE UNIVERSITY OF NEW MEXICO.

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16 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 Section 1. It is proposed to amend Article 12, Section 13
18 of the constitution of New Mexico to read:

19 "A. The legislature shall provide for the control
20 and management of each of said institutions, except the
21 university of New Mexico, by a board of regents for each
22 institution, consisting of five members, four of whom shall be
23 qualified electors of the state of New Mexico, one of whom
24 shall be a member of the student body of the institution and no
25 more than three of whom at the time of their appointment shall

underscored material = new
[bracketed material] = delete

1 be members of the same political party; provided, however, that
2 the student body member provision in this section shall not
3 apply to the New Mexico school for the deaf, the New Mexico
4 military institute, the northern New Mexico state school or the
5 New Mexico school for the visually handicapped, and for each of
6 those four institutions all five members of the board of
7 regents shall be qualified electors of the state of New Mexico;
8 and provided further that at least one member of the board of
9 regents of New Mexico state university shall be a member of an
10 Indian nation, tribe or pueblo located wholly or partially in
11 New Mexico. The governor shall nominate and by and with the
12 consent of the senate shall appoint the members of each board
13 of regents for each of said institutions. The terms of said
14 nonstudent members shall be for six years provided that of the
15 five first appointed the terms of two shall be for two years,
16 the terms for two shall be for four years and the term of one
17 shall be for six years. Following the approval by the voters
18 of this amendment and upon the first vacancy of a position held
19 by a nonstudent member on each eligible institution's board of
20 regents, the governor shall nominate and by and with the
21 consent of the senate shall appoint a student member to serve a
22 two-year term. The governor shall select, with the advice and
23 consent of the senate, a student member from a list provided by
24 the president of the institution. In making the list, the
25 president of the institution shall give due consideration to

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1 the recommendations of the student body president of the
2 institution.

3 B. The legislature shall provide for the control
4 and management of the university of New Mexico by a board of
5 regents consisting of seven members, six of whom shall be
6 qualified electors of the state of New Mexico, one of whom
7 shall be a member of an Indian nation, tribe or pueblo located
8 wholly or partially in New Mexico, one of whom shall be a
9 member of the student body of the university of New Mexico and
10 no more than four of whom at the time of their appointment
11 shall be members of the same political party. The governor
12 shall nominate and by and with the consent of the senate shall
13 appoint the members of the board of regents. The present five
14 members shall serve out their present terms. The two
15 additional members shall be appointed in 1987 for terms of six
16 years. Following the approval by the voters of this amendment
17 and upon the first vacancy of a position held by a nonstudent
18 member on the university of New Mexico's board of regents, the
19 governor shall nominate and by and with the consent of the
20 senate shall appoint a student member to serve a two-year term.
21 The governor shall select, with the advice and consent of the
22 senate, a student member from a list provided by the president
23 of the university of New Mexico. In making the list, the
24 president of the university of New Mexico shall give due
25 consideration to the recommendations of the student body

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1 president of the university.

2 C. Members of the board shall not be removed except
3 for incompetence, neglect of duty or malfeasance in office.
4 Provided, however, no removal shall be made without notice of
5 hearing and an opportunity to be heard having first been given
6 such member. The supreme court of the state of New Mexico is
7 hereby given exclusive original jurisdiction over proceedings
8 to remove members of the board under such rules as it may
9 promulgate, and its decision in connection with such matters
10 shall be final."

11 Section 2. The amendment proposed by this resolution
12 shall be presented to the people for their approval or
13 rejection at the next general election or at any special
14 election prior to that date that may be called for that
15 purpose.